

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Cancellation by Florida) DOCKET NO. 961055-TI
Public Service Commission of) ORDER NO. PSC-96-1383-FOF-TI
Interexchange Telecommunications) ISSUED: November 19, 1996
Certificate No. 3509 issued to)
DBJ, Inc. d/b/a DBJ of Oklahoma,)
Inc. for violation of rule 25-)
24.480(2)(a) and (b), F.A.C.,)
Records and Reports; Rules)
Incorporated.)
_____)

The following Commissioners participated in the disposition of this matter:

SUSAN F. CLARK, Chairman
J. TERRY DEASON
JOE GARCIA
JULIA L. JOHNSON
DIANE K. KIESLING

NOTICE OF PROPOSED AGENCY ACTION
ORDER IMPOSING FINE OR CANCELLING
INTEREXCHANGE TELECOMMUNICATIONS CERTIFICATE

BY THE COMMISSION:

NOTICE IS HEREBY GIVEN by the Florida Public Service Commission that the action discussed herein is preliminary in nature and will become final unless a person whose interests are substantially affected files a petition for a formal proceeding, pursuant to Rule 25-22.029, Florida Administrative Code.

Rules 25-24.480 (2)(a) and (b), Florida Administrative Code, require each certificated interexchange carrier (IXC) to file with this Commission updated information indicating any changes in the certificate holder's address and telephone number and any changes in the name and address of their Commission liaison within ten (10) days of such change.

Mail sent in July 1996 to DBJ, Inc. d/b/a DBJ of Oklahoma, Inc. (DBJ), holder of Interexchange Telecommunications Certificate Number 3509, was returned to our Division of Records and Reporting by the U.S. Post Office. The U.S. Post Office indicated that the

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company was no longer at this address. Further investigation revealed that the telephone number provided to us by DBJ was disconnected. To date, we have not been informed of DBJ's correct address or telephone number.

We find that DBJ failed to comply with Rules 25-24.480 (2) (a) and (b), Florida Administrative Code. Pursuant to Section 364.285, Florida Statutes, we may impose a fine on or cancel the certificate of any entity subject to our jurisdiction for failure or refusal to comply with Commission rules. Rule 25-24.474, Florida Administrative Code, authorizes us to cancel a certificate, on our own motion, for violation of Commission rules or orders.

Based on the foregoing, we hold that Interexchange Telecommunications Certificate Number 3509, held by DBJ, shall be cancelled if DBJ fails to pay a fine of \$250 and fails to provide us with their correct mailing address, liaison information, and other information required by Rules 25-24.480 (2) (a) and (b), Florida Administrative Code.

It is, therefore,

ORDERED by the Florida Public Service Commission that DBJ, Inc. d/b/a DBJ of Oklahoma, Inc., shall pay a \$250 fine and provide the information required by Rules 25-24.480 (2) (a) and (b), Florida Administrative Code, within thirty (30) days of this Order becoming final. It is further

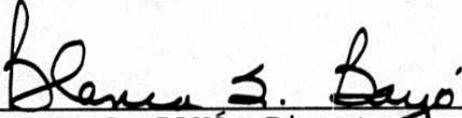
ORDERED that if DBJ, Inc. d/b/a DBJ of Oklahoma, Inc., complies with this Order, this docket shall be closed. It is further

ORDERED that if DBJ, Inc. d/b/a DBJ of Oklahoma, Inc., fails to comply with this Order, Certificate No. 3509 shall be cancelled, and this docket shall be closed. It is further

ORDERED that, unless a person whose substantial interests are affected by the action proposed herein files a petition in the form and by the date specified in the Notice of Further Proceedings or Judicial Review, this Order shall become final and effective.

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By ORDER of the Florida Public Service Commission, this 19th
day of November, 1996.



BLANCA S. BAYÓ, Director
Division of Records and Reporting

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NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.59(4), Florida Statutes, to notify parties of any administrative hearing or judicial review of Commission orders that is available under Sections 120.57 or 120.68, Florida Statutes, as well as the procedures and time limits that apply. This notice should not be construed to mean all requests for an administrative hearing or judicial review will be granted or result in the relief sought.

The action proposed herein is preliminary in nature and will not become effective or final, except as provided by Rule 25-22.029, Florida Administrative Code. Any person whose substantial interests are affected by the action proposed by this order may file a petition for a formal proceeding, as provided by Rule 25-22.029(4), Florida Administrative Code, in the form provided by Rule 25-22.036(7)(a) and (f), Florida Administrative Code. This petition must be received by the Director, Division of Records and Reporting, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, by the close of business on December 10, 1996.

In the absence of such a petition, this order shall become effective on the day subsequent to the above date as provided by Rule 25-22.029(6), Florida Administrative Code.

Any objection or protest filed in this docket before the issuance date of this order is considered abandoned unless it satisfies the foregoing conditions and is renewed within the specified protest period.

If this order becomes final and effective on the date described above, any party substantially affected may request judicial review by the Florida Supreme Court in the case of an electric, gas or telephone utility or by the First District Court of Appeal in the case of a water or wastewater utility by filing a notice of appeal with the Director, Division of Records and Reporting and filing a copy of the notice of appeal and the filing fee with the appropriate court. This filing must be completed within thirty (30) days of the effective date of this order, pursuant to Rule 9.110, Florida Rules of Appellate Procedure. The notice of appeal must be in the form specified in Rule 9.900(a), Florida Rules of Appellate Procedure.